IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.56805-M of 2006

DATE OF DECISION:21.11.2006

Guddo @ Chanchal .....Petitioner

Versus

State of Haryana .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Parminder Singh, Advocate
for the petitioner.

Shri Partap Singh, Sr. DAG, Haryana.

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Petitioner Guddo @ Chanchal apprehending his arrest in a non-bailable offence in case FIR No. 344 dated 23.6.2005 under Sections 148/149/323/324/285/336/427 IPC, registered at Police Station City Karnal, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that against the petitioner, who is a lady, the only allegation is that she had raised a lalkara and instigated the other accused, who gave injuries to the injured. Undisputedly, the petitioner has not caused any injury to any person. Counsel further contends that the petitioner has been wrongly declared proclaimed offender on 17.8.2006 as the proclamation as required under Section 82 Cr.P.C. was not properly made upon the petitioner. Even otherwise, the petitioner was not aware about the PO proceedings.

Counsel for the petitioner further contends that in view of the order dated 10.10.2006, the petitioner has joined the investigation. This fact

has not been disputed by the State Counsel.

In view of the above, the interim bail, granted vide order dated 10.10.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

November 21, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**